

1 **R307. Environmental Quality, Air Quality.**

2 **R307-320. [~~Davis, Salt Lake and Utah Counties,~~] Ozone Maintenance**
3 **Areas and Ogden City: Employer-Based Trip Reduction Program.**

4 **R307-320-1. Purpose.**

5 The purpose of this program is to reduce the number of
6 measurable vehicle miles driven by employees commuting to and from
7 work by requiring employers with work sites within [~~Davis and Salt~~
8 ~~Lake Counties~~]ozone maintenance areas to implement strategies
9 designed to reduce the employee drive-alone rate. [~~Under the~~
10 ~~authority of 19-2-104(1)(h) and (2), a]~~An employer-based trip
11 reduction program is authorized under 19-2-104(1)(h) and (2). It
12 is a state implementation plan control strategy to reduce ambient
13 [measures of air pollution]ozone and is a potential contingency
14 measure for carbon monoxide. An added benefit of the program is
15 reducing the number of cars on increasingly congested roadways.
16

17 **R307-320-2. Applicability.**

18 (1) R307-320 applies to any federal, state, or local entity,
19 or any other public department, district (including public
20 universities and public school districts), or agency in Davis or
21 Salt Lake County.

22 [~~(2) If the Contingency Requirements for fine particulate~~
23 ~~are triggered as outlined in Section IX.A.8.b of the State~~
24 ~~Implementation Plan, R307-320 applies to any federal, state, or~~
25 ~~local entity, or any other public department, district (including~~
26 ~~public universities and public school districts), or agency in~~
27 ~~Utah County.~~

28 ~~——(3)]~~ If the [C]contingency [R]requirements for carbon
29 monoxide are triggered as outlined in Section IX.C.8.[h]f of the
30 State Implementation Plan, R307-320 applies to any federal, state,
31 or local entity, or any other public department, district
32 (including public universities and public school districts), or
33 agency in Ogden City.
34

35 **R307-320-3. Definitions.**

36 The following additional definitions apply to R307-320:

37 "Compressed Work Week" means any work schedule [~~which~~]that
38 eliminates at least one commute trip to a work site in each two
39 week period.

40 "Drive-alone Rate" means the number of single-occupancy
41 vehicles divided by the sum of single-occupancy vehicles, plus
42 employees using mass transit, ridesharing, biking, walking,
43 telecommuting or having credit for a compressed work week. The
44 drive-alone rate calculation must be based on a typical Monday
45 through Friday work week.

46 Drive-alone Rate = single-occupancy vehicles/(single-
47 occupancy vehicles + mass transit users + rideshare participants +
48 bikers + walkers + telecommuters + credit for compressed work
49 week).

50 "Employee" means any person including persons employed by
51 public universities or school districts, who works at or reports
52 to a single work site at least three days per week for at least

1 six months of the year.

2 "Employee Transportation Coordinator" means a person assigned
3 the responsibility of developing, implementing, monitoring,
4 tracking, and marketing the trip reduction plan for the employer.

5 "Employer" means federal, state, or local entity, or any
6 other public department, district (including public universities
7 or public school districts), or agency.

8 "Peak Travel Period" means the period beginning at 6 a.m. and
9 ending at 10 a.m., Mondays through Fridays.

10 "Ridesharing" means transportation of more than one person
11 for commute purposes in a vehicle.

12 "Single-occupancy Vehicles" means vehicles traveling to the
13 work site with a driver and no passengers during the peak travel
14 period.

15 "Target Drive-alone Rate" means a twenty percent reduction in
16 the drive alone rate based on the 1990 census data for modes of
17 travel in each county. The target drive-alone rate schedule is as
18 follows:

19
20 TABLE
21 TARGET DRIVE-ALONE RATE SCHEDULE

	Davis County Drive-Alone Rate	Salt Lake County Drive-Alone Rate
23 From 1990 Census Data	24 0.76	25 0.77
26 1st year interim target	27 0.72	28 0.73
29 drive-alone rate		
30		
31 2nd year interim target	32 0.68	33 0.69
34 drive-alone rate		
35		
36 3rd year interim target	37 0.67	38 0.67
39 drive-alone rate		
40		
41 4th year interim target	42 0.65	43 0.65
44 drive-alone rate		
45		
46 5th year interim target	47 0.63	48 0.64
49 drive-alone rate		
50		
51 6th year interim target	52 0.61	0.62
53 drive-alone rate		
54		
55 Target drive-alone rate	0.61	0.62

56 "Telecommuting" means working at home or at a satellite work
57 site, provided the employee does not use a single-occupancy
58 vehicle to travel to the satellite work site.

59 "Trip Reduction Plan" means a set of strategies designed to
60 reduce the drive-alone rate.

1 "Vehicle" means motorcycles and on-road vehicles powered by a
2 gasoline or diesel internal combustion engine with nine or less
3 seating positions for adults.

4 "Work Site" means a building and any group of buildings
5 ~~[which]~~that are on physically contiguous parcels of land or on
6 parcels separated solely by private or public roadways or rights-
7 of way.

8
9 **R307-320-4. Employer Requirements.**

10 (1) Each employer shall assign an employee trip reduction
11 coordinator within 30 days after the effective date of R307-320.

12 (2) Each employer shall determine the drive-alone rate per
13 work site on an annual basis for a typical Monday through Friday
14 work week during the peak travel period. The drive-alone rate can
15 be determined by one of the following methods in (a), (b) or (c)
16 below.

17 (a) Information from an annual employee survey.

18 (i) The employer must use a standardized survey approved by
19 the executive secretary. The survey shall ask the travel distance
20 from the employee's home to the work site, what frequency and mode
21 of transportation the employee used to get to work, and how often
22 the employee participates in a telecommuting program or compressed
23 work week schedule.

24 (ii) The employer shall administer the survey and shall
25 capture, at a minimum, 75% of the employee population arriving at
26 the work site during the peak travel period.

27 (b) Verifiable information, less than one year old of the
28 submittal due date, from employer records including:

29 (i) employee work schedules;

30 (ii) employee participation in telecommuting schedules;

31 (iii) employee participation of mass transit;

32 (iv) employee participation in rideshare arrangements; and

33 (v) employee participation in non-vehicular transit.

34 (c) Another method of the employer's choosing, with written
35 approval from the executive secretary.

36 (3) Each employer shall design and submit to the executive
37 secretary an approvable trip reduction plan for each work site to
38 meet the target drive-alone rate as specified by the target drive-
39 alone rate schedule in R307-320-3.

40 (a) An employer may combine more than one work site in a
41 trip reduction plan submittal.

42 (i) The target drive-alone rate for a multi-work site
43 submission shall be a weighted average of the drive-alone rates
44 for the individual work sites.

45 (ii) The employer may combine a trip reduction plan for any
46 work site within the same county.

47 (b) The trip reduction plan submittal shall adhere to the
48 following schedule:

49 (i) Submittal of a trip reduction plan shall be annually on
50 or before the anniversary of the initial due date.

51 (ii) For employers within Salt Lake and Davis Counties:

52 (A) The trip reduction plan must be submitted for approval

1 within 90 days after the employer has been notified.

2 (B) If the employer has not been notified, then the trip
3 reduction plan must be submitted no later than 360 days after the
4 effective date of this rule.

5 ~~[(iii) For employers within Utah County, the trip reduction~~
6 ~~plan must be submitted within 90 days after notification by the~~
7 ~~Division of Air Quality following triggering of contingency~~
8 ~~measures for PM10 under the provisions of Section IX.A.8.b of the~~
9 ~~State Implementation Plan.~~

10] (c) Materials and information submitted to the executive
11 secretary shall include:

12 (i) A letter of commitment to fully implement an approved
13 trip reduction plan signed by an authorized employee at the work
14 site.

15 (ii) The name and signature of the employee transportation
16 coordinator;

17 (iii) The drive-alone rate for the work site;

18 (iv) General work site information including name and
19 address of organization; general layout of buildings and parking
20 areas; location of major streets; location of nearby mass transit
21 stops; number of total employees; number of employees arriving at
22 the work site during peak travel periods; current and planned
23 incentives, disincentives, and facilities available encouraging
24 alternatives to single-occupant vehicle commuting; the type of
25 activities conducted at the work site; and the time spent by the
26 employee transportation coordinator in complying with the plan.

27 (d) A trip reduction plan designed to meet the target drive-
28 alone rate schedule may include but is not limited to employer
29 involvement in the following:

30 (i) Subsidized bus passes;

31 (ii) Rideshare matching programs;

32 (iii) Vanpool leasing programs;

33 (iv) Telecommuting programs;

34 (v) Compressed work week schedule programs and flexible work
35 schedule programs;

36 (vi) Work site parking fee programs;

37 (vii) Preferential parking for rideshare participants;

38 (viii) Transportation for business related activities;

39 (ix) A guaranteed ride home program;

40 (x) On-site facility improvements;

41 (xi) Soliciting feedback from employees;

42 (xii) On-site daycare facilities;

43 (xiii) Coordination with local transit authorities for
44 improved mass transit service and information on mass transit
45 programs; and

46 (xiv) Recognition and rewards for employee participation.

47 (e) An approvable plan shall contain all the information
48 required in R307-320-4. The executive secretary shall approve or
49 request revision of the trip reduction plan within 60 days of the
50 plan submittal.

51 (4) Each employer shall implement a trip reduction plan
52 approved by the executive secretary.

1 (5) Each employer shall inform employees of the trip
2 reduction plan and options available to them for participation.
3

4 **R307-320-5. Recordkeeping.**

5 (1) The employer shall keep records of all documents
6 necessary to prove compliance with and verify implementation of an
7 approved trip reduction plan for at least two years from the plan
8 approval date.

9 (2) Approved trip reduction plans shall be kept for five
10 years from date of approval.

11 (3) Employer trip reduction records are subject to review by
12 representatives of the executive secretary.
13

14 **R307-320-6. Violations.**

15 (1) The following are violations of this rule:

16 (a) failure to submit an approvable employer-based trip
17 reduction plan as specified in R307-320-4;

18 (b) providing false information;

19 (c) failure to submit a revised employer-based trip
20 reduction plan when requested by the executive secretary;

21 (d) failure to implement an approved trip reduction plan;

22 (e) failure to maintain records as specified in R307-320-5;

23 (f) upon receipt of the second disapproval notice and until
24 a revised plan is submitted and approved, the employer is in
25 violation of this rule.

26 (2) Failure to achieve the target drive-alone rate is not a
27 violation of this rule.
28

29 **R307-320-7. Exemptions.**

30 (1) An employer with less than 100 employees at a work site
31 is exempt from the requirements of this rule.

32 (2) An employer who has met the target drive-alone rate is
33 exempt from requirements stated in R307-320-4(3) and (4). The
34 employer must still submit the drive-alone rate information to the
35 executive secretary annually.

36 (3) Employees using vehicles for commute purposes as part of
37 their job responsibility for emergency response are exempt from
38 the drive-alone rate determination if they do not have the option,
39 because of employer policies, to participate in telecommuting
40 programs, compressed work week schedules, or as a rideshare
41 driver, as approved by the executive secretary.

42 (a) An employer seeking exemption status shall comply with
43 all requirements of the rule until an exemption is granted.

44 (b) The executive secretary shall approve or deny a request
45 for exemption within 90 days of application.

46 (4) Other exemptions may be granted on a case by case basis
47 and must be approved by the executive secretary.

48 (a) The employer seeking exemption must be able to
49 demonstrate that the trip reduction program causes an adverse
50 impact on the employer's ability to provide services or creates an
51 undue hardship[s].

52 (b) The employer may also seek an exemption by providing an

1 alternative to the Trip Reduction Program that shows, at a
2 minimum, for the work site seeking exemption, a reduction in
3 oxides of nitrogen equivalent to that achieved by the Trip
4 Reduction Program when implemented to the target drive-alone rate
5 schedule in the table in R307-320-3. The employer shall provide
6 all substantiating information and calculations.

7 (c) An employer seeking exemption status shall comply with
8 all requirements of the rule until an exemption is granted.

9 (d) The executive secretary shall approve or deny a request
10 for exemption within 90 days of application.
11

12 **KEY: air pollution, motor vehicles, trip reduction[*]**

13 **Date of Enactment or Last Substantive Amendment: [~~September 15,~~**
14 **~~1998~~2006**

15 **Notice of Continuation: July 7, 2005**

16 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(h)**
17
18